UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: :
                                                                             :
OPEN AI, INC.,   :   No. 25-md-31433 (SHS) (OTW)
COPYRIGHT INFRINGEMENT LITIGATION   :
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This Document Relates To: :
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All Actions   :
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DECLARATION OF MAILE YEATS-ROWE IN SUPPORT OF
PLAINTIFFS' LETTER MOTION TO SEAL

I, Maile Yeats-Rowe, hereby declare as follows:

1.   I am Senior Litigation Counsel at OpenAI. I submit this declaration in support of

Plaintiffs' letter motion to seal (*MDL* ECF No. 226). I have personal knowledge of the facts set

forth below and if called as a witness, could testify competently thereto.

2.   I have been informed that because Plaintiffs' Letter Motion re Disputed Issues

from the Parties' Proposed Omnibus Protective Order cites to highly confidential OpenAI

documents that are not "judicial documents" under *Lugosch v. Pyramid Company of Onondaga,*

435 F.3d 100 (2d Cir. 2006), but rather discovery-related documents, the "presumption of access

to these records is low." *Bernstein v. Bernstein Litowitz Berger & Grossman LLP*, 814 F.3d 132

(2d Cir. 2016); *see Brown v. Maxwell*, 929 F.3d 41, 50 (2d Cir. 2019); *Rand v. Travelers Indem.*

Co., No. 21-CV-10744 (VB)(VF), 2023 WL 4636614, at *2 (S.D.N.Y. July 19, 2023) (court not

required to articulate compelling reasons to seal for material in non-dispositive motions).

3.   I have been informed and understand that Plaintiffs moved to seal certain OpenAI

confidential materials designated by OpenAI as "HIGHLY CONFIDENTIAL - ATTORNEYS'

EYES ONLY" pursuant to the parties' protective orders. I submit this declaration in support of

maintaining those under seal.

4.   Based on my review, the document excerpts cited in Plaintiffs' Letter Motion re

Disputed Issues from the Parties' Proposed Omnibus Protective Order (MDL ECF 225) contain

highly confidential proprietary information concerning OpenAI's technology and business that

warrant sealing. OpenAI treats such information as highly confidential, generally does not

publicly disclose this type of information, and takes steps to protect its confidentiality,

particularly because disclosure of this information could compromise OpenAI's internal safety

and security measures.

5.   OpenAI's request is narrowly tailored as OpenAI only seeks to redact selected

portions of ECF 225 marked for redaction by Plaintiffs, and leaves the balance unredacted and

open to the public.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 24th day of June 2025, in San Francisco, California.

Maile Yeats-Rowe
Senior Litigation Counsel
OpenAI